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Attorney for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	CASE NO: 2:16-CR-100
Plaintiff,)	
)	
vs.)	
)	
JAN ROUVEN FUECHTENER,)	
)	
Defendant.)	
_____)	

STIPULATION TO CONTINUE SENTENCING

IT IS HEREBY STIPULATED AND AGREED, by and between ELHAM ROOHANI, Assistant United States Attorney, counsel for Plaintiff, and BENJAMIN DURHAM and JESS MARCHESE, counsel for Defendant, that the sentencing currently scheduled for March 17, 2017, be vacated and continued for approximately 45 days.

This Stipulation is entered into for the following reasons:

1. Defense counsel needs additional time to prepare and complete certain actions related to sentencing mitigation in order to effectively represent Mr. Fuechtener before this Honorable Court at the time of sentencing. The Defendant concurs in this request.

2. All parties agree to the continuance.

3. The additional time requested herein is not sought for purposes of delay.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. This is the first request to continue sentencing filed herein.

DATED this 10th day of March, 2017.

BENJAMIN DURHAM LAW FIRM

DANIEL G. BOGDEN
United States Attorney

/s/ Benjamin Durham

/s/ Elham Roohani

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JAN ROUVEN FUECHTENER,)	
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Defendant.)	
_____)	

FINDINGS OF FACT

Based on the pending stipulation of counsel, and good cause appearing, the Court finds:

1. Defense counsel needs additional time to prepare and complete certain actions related to sentencing mitigation in order to effectively represent Mr. Fuechtener before this Honorable Court at the time of sentencing. The Defendant concurs in this request.
2. All parties agree to the continuance.
3. The additional time requested herein is not sought for purposes of delay.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. This is the first request to continue sentencing filed herein.

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2 For all of the above-stated reasons, the ends of justice would best be served by a
3 continuance of the sentencing.
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6 **CONCLUSIONS OF LAW**

7 The ends of justice served by granting said continuance outweigh the best interest of
8 the public, since the failure to grant said continuance would be likely to result in a
9 miscarriage of justice, would deny the parties herein sufficient time and the opportunity
10 within which to be able to effectively and thoroughly prepare for sentencing, taking into
11 account the exercise of due diligence.
12

13 **ORDER**

14 IT IS HEREBY ORDERED that the sentencing currently scheduled for March 17,
15 2017 be continued to May 12, 2017, at the hour of 11:00 a.m. in Courtroom 7C.
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17 DATED AND DONE this 13th day of March, 2017.

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20 _____
21 UNITED STATES DISTRICT JUDGE
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